

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADRIAN PARKER,

Defendant.

As to the Motion for Jail Credit, it is well-settled that the Bureau of Prisons, on behalf of the Attorney General, is responsible for calculating federal terms of imprisonment, including


computation of amount of credit after taking custody of the sentenced federal offender. United States v. Wilson, 503 U.S. 329, 331, 334-35 (1992). And, as the Fourth Circuit has explained, “A claim for credit against a sentence attacks the computation and execution of the sentence rather than the sentence itself. Judicial review must be sought under 28 U.S.C. § 2241 in the district of confinement rather than in the sentencing court.” United States v. Miller, 871 F.2d 488, 490 (4th Cir. 1989); see also Fontanez v. O’Brien, 807 F.3d 84, 85 (4th Cir. 2015). Accordingly, Defendant’s Motion for Issuance of Jail Credit is DENIED WITHOUT PREJUDICE to be raised in the appropriate district.

IT IS THEREFORE ORDERED that Defendant’s Motion to Reduce Sentence Pursuant to First Step Act of 2018 (Doc. No. 434), Motion for Release from Custody (Doc. No. 436), and Motion for Default (Doc. No. 439), are DENIED.

IT IS FURTHER ORDERED that Defendant’s Motion for Issuance of Jail Credit (Doc. No. 441) is DENIED WITHOUT PREJUDICE.

IT IS SO ORDERED.

Signed: November 1, 2021

  
Frank D. Whitney  
United States District Judge

